



COPY

BOARD OF DENTISTRY

Matthew G. Bevin
Governor

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Jeff Allen
Executive Director

July 25, 2019

Dr. William E. Hay
3170 New Holt Road
Paducah, KY. 42001

RE: Order and Notice of Immediate, Temporary Suspension of Permit to Administer Anesthesia (Other than Local)/Sedation Permit

Dear Dr. Hay,

The Kentucky Board of Dentistry recently considered information within its possession through its Law Enforcement Committee (LEC) regarding your competency to administer anesthesia (other than local) and/or sedate.

The Law Enforcement Committee, by and through its statutory authority, has made the following preliminary findings of fact, which have been supplemented with additional investigative information and documentation:

- 1) Death of Ronnie W. Poyner following an administration of Halceon, 10mg Ativan, 10mg Versed, and 60 mcg Fentanyl subsequent to going into cardiac arrest.
- 2) Pursuant to KRS 313.085 and KRS 313.130, the Law Enforcement Committee of the Kentucky Board of Dentistry (hereinafter the "LEC"), by majority vote, has the authority to issue an emergency order for the immediate temporary suspension of your permit to administer anesthesia (other than local) and/or sedate patients while an investigation is pending if the order is necessary to protect the public;

With the above in mind, the LEC made the following conclusions of law by invoking KRS 131.085.

With due regard for the totality of the circumstances, the Board, by and through a majority vote of the LEC, hereby orders that your permit to administer anesthesia (other than local) and/or to sedate a patient in Kentucky be immediately and temporarily suspended for the reasons set forth above as necessary to protect the health, safety, and welfare of the public for alleged violations of KRS 313.080(2)(a), (c), (d), and (e) and KRS 313.130 pending further investigation.

These violations involve the death of a patient following the use of anesthesia and/or sedation in your office as above-referenced.

This Immediate, Temporary Suspension of your permit to administer anesthesia (other than local) and/or to sedate a patient shall become effective upon service by personal delivery or by mail to your last known address on record with the Board, but not later than the time of personal service to you of this letter. You may not administer anesthesia (other than local) and/or sedate patients effective upon delivery of this Notice of Immediate Temporary Suspension pending further investigation and notice.

The LEC requests you to appear at its next scheduled meeting on **September 13, 2019** to discuss/review your ability to administer anesthesia (other than local) and or sedate patients.

You may appeal this action of the Board under KRS 313.085, or as otherwise allowed, by filing a written request with the Board within thirty (30) days after receipt of this Order, at the address on this letterhead, by notifying the Board through its staff that you desire a due process hearing, which will be conducted under KRS 13B.125. A request for a hearing does not stay the effectiveness of the Order. If a hearing is requested, then the only issue in such a hearing under KRS 13V.125 is whether "there is substantial evidence of a violation of law which constitutes an immediate danger to the public health, safety, or welfare."

The Board requires that you review this Order, sign and date below, and provide a copy to the representative of the Board, or mail/fax a copy to the Board at the address on this letterhead.

Should you have any questions or concerns, please feel free to contact the Kentucky Board of Dentistry.

Sincerely,



Jeffrey Allen
Executive Director
Kentucky Board of Dentistry

I hereby acknowledge receipt of the copy of the above Order and Notice of Immediate, Temporary Suspension of my Sedation Permit/administer anesthesia (other than local) and will abide by its terms until further order of the Board.

Dr. William E. Hay

Date: _____